

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF WEST VIRGINIA  
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:18-00219

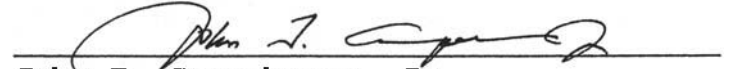
DANIEL ROY MACE

O R D E R

Counsel for the government, Jennifer Rada Herrald, Assistant United States Attorney, this date filed the Response of the United States to Defendant's Motion to Suppress, filed by defendant's counsel, George J. Cosenza, on December 31, 2018, wherein it is stated that it does not intend to introduce evidence from the iPhone 5 at issue during its case-in-chief; and the parties having informed the court during a conference call held this date that, in view of the government's position, the motion to suppress should be denied as moot and the hearing thereon set for January 29, 2019, be canceled; it is ORDERED that the motion to suppress be, and it hereby is, denied as moot and the hearing on pretrial motions is cancelled.

The Clerk is directed to forward copies of this order to the defendant, all counsel of record, the United States Probation Department and the United States Marshal.

DATED: January 25, 2019

  
John T. Copenhaver, Jr.  
Senior United States District Judge